Electronic Acknowledgement Receipt

EFS ID:	3177610
Application Number:	09901275
International Application Number:	
Confirmation Number:	7558
Title of Invention:	Method for controlling network devices via a MMI
First Named Inventor/Applicant Name:	Arnd Krusche
Customer Number:	22850
Filer:	Marvin Jay Spivak/Monika Gullatt
Filer Authorized By:	Marvin Jay Spivak
Attorney Docket Number:	282845US8X
Receipt Date:	18-APR-2008
Filing Date:	09-JUL-2001
Time Stamp:	17:01:04
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Credit Card
Payment was successfully received in RAM	$ 1560
RAM confirmation Number	3334
Deposit Account	
Authorized User	

File Listing:

Document Number	Document Description	File Name	File Size(Bytes) /Message Digest	Multi Part /.zip	Pages (if appl.)

| 1 | | 282845USAMANDNOTICEO FAPPEAL.pdf | 488459 | yes | 14 |
| | | | 8bdf65985477513180ca60f54af086799 700a8a6 | | |

Multipart Description/PDF files in .zip description		
Document Description	**Start**	**End**
Notice of Appeal Filed	1	1
Extension of Time	2	2
Amendment After Final	3	3
Claims	4	9
Applicant Arguments/Remarks Made in an Amendment	10	14

Warnings:

Information:

| 2 | Fee Worksheet (PTO-06) | fee-info.pdf | 8310 | no | 2 |
| | | | c1054be3bd1f9371fc2c7f2fcdd7f680bb c3b365 | | |

Warnings:

Information:

	Total Files Size (in bytes):	496769

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111
If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371
If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office
If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

COPY

Docket No. 282845US8X

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Arnd KRUSCHE, et al.   GAU: 2127

SERIAL NO: 09/901,275   EXAMINER:ZHOU, TING

FILED: July 9, 2001

FOR: METHOD FOR CONTROLLING NETWORK DEVICES VIA A MMI

NOTICE OF APPEAL

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

Applicants hereby appeal to the Board of Appeals from the decision dated October 18, 2007.

The items checked below are appropriate:

☐ A Petition for Extension of Time Under 37 C.F.R. §1.136 was filed for   months.

■ A response to the final rejection is being filed herewith.

■ A Petition for Extension of Time for filing the Notice of Appeal is attached.

☐ A Pre-Appeal Brief Request for Review is attached.

Fee: Notice of Appeal $510.00 + Petition for Extension of Time (3 mo.) $1050.00 = $1560.00

☐ Applicant claims small entity status. See 37 CFR 1.27.

☐ A check is enclosed

■ Online credit card payment is being made

☐ Charge to Deposit Account No. 15-0030

■ Please charge any additional fees or credit any overpayment of fees required for filing the Notice of Appeal to Deposit Account No. 15-0030.

■ If this notice is not considered timely filed by the U.S. Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time may be charged to Deposit Account No. 15-0030.

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Customer Number

22850

Tel. (703) 413-3000
Fax. (703) 413-2220
(OSMMN 07/05)

Bradley D. Lytle
Registration No. 40,073

James Love
Registration No. 58,421

Docket No.   282845US8X

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Arnd KRUSCHE, et al.

SERIAL NO: 09/901,275   GAU: 2173

FILED: July 9, 2001   EXAMINER: ZHOU, TING

FOR: METHOD FOR CONTROLLING NETWORK DEVICES VIA A MMI

REQUEST FOR EXTENSION OF TIME
UNDER 37 C.F.R. 1.136

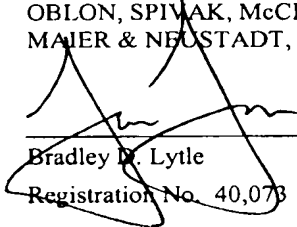COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

It is hereby requested that a **three** month extension of time be granted to April 18, 2008 for

☐ filing a response to the Official Action dated:

☐ responding to the requirements in the Notice of Allowability dated:

☐ filing the Formal Drawings. The Issue Fee due   has been timely filed.

☐ responding to the Notice to File Missing Parts of Application dated:

■ filing a Notice of Appeal. A response to the final rejection is being filed herewith.

☐ filing an Appeal Brief. A Notice of Appeal was filed on:

☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee amount shown below is reduced by one-half.

The required fee of $1,050.00 is being made by credit card payment and any further charges may be made against the Attorney of Record's Deposit Account No. **15-0030**.

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Bradley D. Lytle
Registration No. 40,073

COPY

Customer Number
22850
Tel. (703) 413-3000
Fax. (703) 413-2220
(OSMMN 05/03)

James Love
Registration No. 58,421

DOCKET NO: 282845US8X

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF   :

ARND KRUSCHE, ET AL.   : EXAMINER: ZHOU, TING

SERIAL NO: 09/901,275   :

FILED: JULY 9, 2001   : GROUP ART UNIT: 2173

FOR: METHOD FOR CONTROLLING   :
NETWORK DEVICES VIA A MMI

AMENDMENT

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

In response to the Office Action dated October 18, 2008, please amend the above-

identified application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on

page 2 of this paper.

Remarks/Arguments begin on page 8 of this paper.

IN THE CLAIMS

Please amend the claims as follows:

Claims 1-47 (Canceled).

Claim 48 (Currently Amended): A method for controlling network devices via a home network, the network devices being connected to said home network via different protocol standards, comprising:

generating icons of the network devices having a plurality of functions regarding a reproducing and/or recording of an audio/video signal, icons of all services corresponding to the devices, and menus including the functions which are operable with the associated network device or service;

at least partially displaying the generated icons with a hierarchical structure so as to show a relationship of network connections of the network devices in the home network;

receiving a selection of a network device or a server by a user selecting one of the displayed icons;

selectively displaying the menu of a selected network device or service, the menu including the functions which are operable with the selected network device or service;

receiving a selection of a function in the selectively displayed menu; and

controlling the network device or service to execute the selected function based on a respective one of the protocol standards,

wherein the execution of the selected function results in a data stream of an audio/video signal stored in a providing network device being sent from the providing network device to the selected network device or to a device capable of receiving said data stream via the home network.

Claim 49 (Previously Presented): The method according to claim 48, wherein said

network devices include all compatible devices that are connected to the home network.

Claim 50 (Previously Presented): The method according to claim 48, wherein said

home network, further includes one or more sub-networks integrated into said home network

via a bridge.

Claim 51 (Previously Presented): The method according to claim 48, wherein at least

partially displaying the icons with a hierarchical structure further includes organizing the

icons according to the kind of sub-networks connected to said network.

Claim 52 (Previously Presented): The method according to claim 48, wherein the

selected function in the displayed menu is a "send to" function.

Claim 53 (Previously Presented): The method according to claim 48, further

comprising selecting a providing network device.

Claim 54 (Previously Presented): The method according to claim 53, further

comprising selecting an audio/video signal stored on the selected providing network device.

Claim 55 (Currently Amended): A controller including a man-machine interface for

controlling network devices via a home network, the network devices being connected to said

home network via different protocol standards, comprising:

means for generating icons of the network devices having a plurality of functions

regarding a reproducing and/or recording of an audio/video signal, icons of all services

corresponding to the devices, and menus including the functions which are operable with the

associated network device;

means for at least partially displaying the generated icons with a hierarchical structure

so as to show a relationship of network connections of the network devices in the home

network;

means for receiving a selection of a network device or service by a user selecting one

of the displayed icons;

means for selectively displaying the menu of a selected network device or service, the

menu including the functions which are operable with the selected network device or service;

means for receiving a selection of a function in the selectively displayed menu; and

means for controlling the network device or service to execute the selected function

based on a respective one of the protocol standards,

wherein the execution of the selected function results in a data stream of an

audio/video signal stored in a providing network device being sent from the providing

network device to the selected network device or to a device capable of receiving said data

stream via the home network.

Claim 56 (Previously Presented): The controller according to claim 55, wherein said

network devices include all compatible devices that are connected to the home network.

Claim 57 (Previously Presented): The controller according to claim 55, wherein said

home network, further includes one or more sub-networks integrated into said home network

via a bridge.

Claim 58 (Previously Presented): The controller according to claim 55, wherein means for at least partially displaying the icons with a hierarchical structure further includes means for organizing the icons according to the kind of sub-networks connected to said network.

Claim 59 (Previously Presented): The controller according to claim 55, wherein the selected function in the displayed menu is a "send to" function.

Claim 60 (Previously Presented): The controller according to claim 55, further comprising means for selecting a providing network device.

Claim 61 (Previously Presented): The controller according to claim 60, further comprising means for selecting an audio/video signal stored on the selected providing network device.

Claim 62 (Currently Amended): A computer readable medium having computer readable program code stored thereon for causing a computer to provide a man-machine interface for controlling network devices via a home network, the network devices being connected to said home network via different protocol standards, the computer readable medium comprising executable instructions that cause a computer to:

generate icons of the network devices having a plurality of functions regarding a reproducing and/or recording of an audio/video signal, icons of all services corresponding to the devices, and menus including the functions which are operable with the associated network device or service;

at least partially display the generated icons with a hierarchical structure so as to show

a relationship of network connections of the network devices in the home network;

receive a selection of a network device <u>or service</u> by a user selecting one of the

displayed icons;

selectively display the menu of a selected network device <u>or service</u>, the menu

including the functions which are operable with the selected network device <u>or service</u>;

receive a selection of a function in the selectively displayed menu; and

control the network device <u>or service</u> to execute the selected function based on a

respective one of the protocol standards,

wherein the execution of the selected function results in a data stream of an

audio/video signal stored in a providing network device being sent from the providing

network device to the selected network device <u>or to a device capable of receiving said data</u>

<u>stream</u> via the home network.

Claim 63 (Currently Amended): A method for controlling network devices via a home

network, the network devices being connected to said home network via different protocol

standards, comprising:

generating icons of the network devices having a plurality of functions regarding a

reproducing and/or recording of an audio/video signal <u>or to a device capable of receiving said</u>

<u>data stream</u> and menus including the functions which are operable with/<u>by</u> the associated

network device/<u>service</u>;

at least partially displaying the generated icons with a hierarchical structure so as to

show a relationship of network connections of the network devices in the home network;

receiving a selection of a network device <u>or service</u> by a user selecting one of the

displayed icons;

selectively displaying the menu of a selected network device <u>or service</u>, the menu

including the functions which are operable with/<u>by</u> the selected network device/<u>service</u>;

receiving a selection of a function in the selectively displayed menu; and

controlling the network device to execute the selected function based on the

respective protocol standard.

Claim 64 (Previously Presented): The method according to claim 63, wherein said

network devices include all compatible devices that are connected to the home network.

Claim 65 (Previously Presented): The method according to claim 63, wherein said

home network, further includes one or more sub-networks integrated into said home network

via a bridge.

Claim 66 (Previously Presented): The method according to claim 63, wherein at least

partially displaying the icons with a hierarchical structure further includes organizing the

icons according to the kind of sub-networks connected to said network.

Claim 67 (Previously Presented): The method according to claim 63, wherein the

selected function in the displayed menu is a "send to" function.

Claim 68 (Previously Presented): The method according to claim 63, further

comprising selecting a providing network device.

Claim 69 (Previously Presented): The method according to claim 68, further

comprising selecting an audio/video signal stored on the selected providing network device.

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 48-69 are pending in this application. Claims 48, 55, 62 and 63 were amended by the present response without introducing new matter. Support for additions to the claims can be found in the disclosure as originally filed, for example on page 6, first paragraph and Figure 1. Thus, no new matter is added.

In the outstanding Office Action, Claims 48-69 were rejected under 35 U.S.C. §103(a) as unpatentable over Microsoft Windows (1998, herein, "Windows") in view of Wendorf et al. (U.S. Pat. No. 7,257,821, herein "Wendorf").

Addressing now the rejection of Claims 48-69 under 35 U.S.C. §103(a) as unpatentable over Windows and Wendorf, that rejection is respectfully traversed.

Initially, with respect to the §103(a) rejection including the Wendorf reference, Applicants respectfully traverse this rejection. Specifically, Applicants note that the present application claims priority to European Application EPO 00114792.5 filed July 10, 2000 which was filed in the English language. In contrast, the filing date of the Wendorf reference is April 4, 2001. Thus, Applicants note that under no provision of 35 U.S.C. §102 or §103 is the Wendorf reference available to be used to reject the present application. Accordingly, Applicants respectfully request that the §103(a) rejection in the outstanding Office Action citing Wendorf, be withdrawn.

Addressing now the application of the Windows reference in the outstanding Action, Applicants respectfully traverse the position that the Windows references describes or suggests features of the claimed invention.

Claim 48 recites, in part,

> generating icons of the network devices having a
> plurality of functions regarding a reproducing and/or recording

8

COPY

of an audio/video signal, icons of all services corresponding to
the devices, and menus including the functions which are
operable with the associated network device or service;

at least partially displaying the generated icons with a
hierarchical structure so as to show a relationship of network
connections of the network devices in the home network;

receiving a selection of a network device or a server by
a user selecting one of the displayed icons;

selectively displaying the menu of a selected network
device or service, the menu including the functions which are
operable with the selected network device or service;

receiving a selection of a function in the selectively
displayed menu; and

controlling the network device or service to execute the
selected function based on a respective one of the protocol
standards,

wherein the execution of the selected function results in
a data stream of an audio/video signal stored in a providing
network device being sent from the providing network device
to the selected network device or to a device capable of
receiving said data stream via the home network.

The Windows reference shows screenshots of the Windows operating system and the

explorer program included in the Windows OS.

The outstanding Action cites Windows as describing the all of the features of the

claimed invention except for certain acknowledged deficiencies discussed on page 3 of the

outstanding Action. Applicants respectfully traverse this assertion and submit that Windows

does not describe or suggest these features of the claimed invention.

In a non-limiting example, Fig. 1 of the present disclosure illustrates a context

sensitive menu 46 that can be called for different items (icons or folders) within a hierarchical

structure. This context sensitive menu is asserted by the outstanding Action as corresponding

to the right click popup menu of Windows Explorer. However, such a menu is not part of the

hierarchical structure but merely an additional information or interface on another layer or

level of operation of the system.

From the cited screenshots of Windows, it can be seen that devices and even network

devices might be displayed in hierarchical structures. However, in Windows, only the devices

9

COPY

themselves are displayed, whereas in the claimed invention the services corresponding to the devices are also displayed in a hierarchical structure.

At first, when an optical data carrier such as a CD is inserted into an appropriate drive in the computer, <u>Windows</u> displays the drive as a device in a hierarchical structure. However, if the CD contains one sector with an audio CD format containing audio files and another sector containing CDR data such as a movie file or several jpg files, <u>Windows</u> explorer displays the drive as a device and the content of this CD as subfiles, so that movie file, jpg files and audio tracks are displayed as they have been written to the CD. No hierarchy taking into account the different services corresponding to the device, i.e. the CD drive, are displayed in a hierarchical structure.

In contrast, in the claimed invention the CD drive is displayed as a network device in the network. In addition, instead of displaying the actual data content of the optical data carrier, icons are generated for all the services corresponding to the CD. For instance, there are displayed icons for *playing* audio files, for example .wav files, at least one icon for *viewing* pictures and at least one icon for *viewing* video files, such as a mpg video file.

Thus, it is not the actual data files stored on the CD that are relevant for the hierarchical display, but the different services that are provided by the CD player, i.e. playback or viewing. Such display of services is not found in the cited screenshots of <u>Windows</u> Explorer, especially considering that the non-hierarchical and call-dependent right-click menu of Explorer is not at least partially displaying the generated icons with a hierarchical structure so as to show a relationship of network connections of the network devices in the home network.

Furthermore, if another CD would be inserted in a second CD drive, where the second CD contains audio and video data, <u>Windows</u> explorer would only be capable of again displaying the data files stored on the second CD as subfiles of the corresponding second CD

drive. Since no services, but only devices are displayed in a hierarchical structure, no logic

sorting of the available services is allowed by this system.

In contrast, according to the claimed invention, all network devices and corresponding

services are displayed in a hierarchical structure so that all audio files and all video files are

not only able to be displayed in a hierarchical structure, but can also be abstracted so that one

icon or folder, respectively, referring to the available audio files within the home network,

can contain all audio files of all available network devices. In this example, the audio files of

both the first and the second CD could thus be displayed within one folder. In addition, the

video files icon includes all video files of the home network so that all video files of the first

and of the second CD could be brought together into one logical folder. This advantageous

feature cannot be found anywhere in Windows or in any of the cited screenshots.

In addition, in an additional non-limiting example shown in Figs. 1 and 2 there is

illustrated a hierarchical structure of the services corresponding to a digital audio broadcast

receiver, where the services are displayed in a hierarchical structure. Under an audio stream

folder, English radio programs are listed as subfolders or objects, respectively (see Fig. 2).

Such a display of an actual service (or object of Fig. 2), in particular in a hierarchical

structure is neither taught nor suggested by Windows.

Accordingly, Windows does not describe or suggest the features recited in Claims 48,

55, 62 and 63 and thus, Claims 48, 55, 62 and 63, and claims depending therefrom,

patentably distinguish over Windows.

Consequently, in view of the present amendment and in light of the foregoing comments, it is respectfully submitted that the invention defined by Claims 48-69 is patentably distinguishing over the applied references. The present application is therefore believed to be in condition for formal allowance and an early and favorable reconsideration of the application is therefore requested.
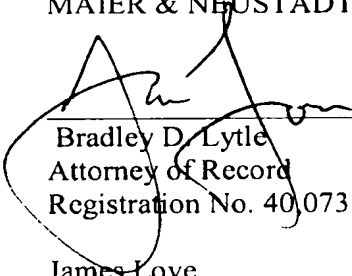
Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413-2220
(OSMMN 08/07)

Bradley D. Lytle
Attorney of Record
Registration No. 40,073

James Love
Registration No. 58,421

I:\ATTY\JL\282845us\282845us_AM(4.17.2008).DOC

COPY

12